



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: HOASHI=2

In re Application of:

Masahito HOASHI et al

Appln. No.: 09/000,366

Filed: January 28, 1998

For: METHOD FOR THAWING FROZEN  
GROUND FISH MEAT

) Art Unit: 1761  
)  
) Examiner: D.E. Becker  
)  
) Washington, D.C.  
)  
) Confirmation No. 5189  
)  
) May 26, 2006  
)

RESPONSE UNDER 37 CFR 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP 1761

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Honorable Commissioner for Patents  
U.S. Patent and Trademark Office  
Randolph Building, Mail Stop AF  
401 Dulany Street  
Alexandria, VA 22314

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the final rejection (or the rejection of claims for at least the second time), dated November 28, 2005, of the Primary Examiner. The claims appealed are claims 1, 3-8, 10-14, 17 and 18.

The item(s) checked below are appropriate:

Small Entity Status: Applicant(s) claim small entity status. See 37 CFR 1.27.

XXX The fee has been calculated as shown below:

XXX \$500.00

\$250.00 (small entity)

Not required (fee paid in prior appeal)

XXX Applicant hereby petitions for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[ ] First - \$ 60.00

[ ] Second - \$225.00

[ ] Third - \$510.00

month after time period set

Other Than Small Entity

Response Filed Within

[ ] First - \$ 120.00

[ ] Second - \$ 450.00

[X] Third - \$1020.00

month after time period set

[X] Less fees (\$1020.00) already paid for 3 months extension of time on 05-26-2006.

XXX Credit Card Payment Form, PTO-2038, is attached, authorizing the amount of \$ 500.00.

XXX Please charge any deficit in the fee paid herewith to my Deposit Account No. 02-4035.

Respectfully submitted,

BROWDY AND NEIMARK, P.C.

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AS/AF  
APW